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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,365	11/13/2001	David J. Zachmeyer	17310-240502	4373
25764	7590	03/31/2004	EXAMINER	
FAEGRE & BENSON LLP 2200 WELLS FARGO CENTER 90 SOUTH 7TH STREET MINNEAPOLIS, MN 55402			KIM, PAUL D	
			ART UNIT	PAPER NUMBER
			3729	

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/008,365

Applicant(s)

ZACHMEYER, DAVID J.

Examiner

Paul D Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 9-13, 16, 22, 26 and 27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 14, 15, 17-21 and 23-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/10/2002</u> | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This office action is a response to the restriction requirement filed on 2/10/2004.

#### ***Response to the Restriction Requirement***

2. Applicant's election without traverse of Species A, claims 1-8, 14, 15, 18-21 and 23-25, on 2/10/2004 is acknowledged.
3. Claims 9-13, 16, 22, 26 and 27 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse on 2/10/2004.

#### ***Specification***

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --A METHOD FOR WELDING TOGETHER AT LEAST TWO COMPONENTS OF A DISK DRIVE HEAD SUSPENSION--.

#### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2, 18-21 and 23-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re. claim 2: The phrase "generally" as recited in line 1 renders vague and indefinite. It is unclear whether the edge weld is centered on the edge of the first component or not.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-7, 14 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Zavilenski et al. (US PAT. 6,371,760).

Zavilenski et al. teach a process of welding at least two components together comprising steps of: positioning a first component (54) having an edge and a major surface with respect to a second component (56) having a surface with a perimeter, such that the surface of the second component contacts the major surface of the first component, and the perimeter of the surface of the second component extends beyond the edge of the first component as shown in Fig. 1; and forming an edge weld at the edge, such that the edge weld extends beyond the edge onto the first and second component as shown in Fig. 1 (also see col. 5, line 34 to col. 7, line 30).

As per claim 2 the edge weld is located at the center of the first component as shown in Fig. 1.

As per claims 3-7 and 18 a laser energy (as a welding energy) is applied to the edge weld either a side of the first component or a side opposite to the side of the first component and portions of the first and second component are flown or melted for welding as shown in Fig. 5.

As per claim 14 Zavilenski et al. teach that the first and second components are made of stainless steel (col. 5, lines 34-52).

9. Claims 1-7 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Fileds, Jr. (US PAT. 6,261,701).

Filed, Jr. teaches a process of welding at least two components together comprising steps of: positioning a first component (20) having an edge and a major surface with respect to a second component (30) having a surface with a perimeter, such that the surface of the second component contacts the major surface of the first component, and the perimeter of the surface of the second component extends beyond the edge of the first component as shown in Fig. 2; and forming an edge weld (adjacent to 22 as shown in Fig. 1) at the edge, such that the edge weld extends beyond the edge onto the first and second component as shown in Fig. 2 (also see col. 9, lines 1-40).

As per claim 2 the edge weld is located at the center (adjacent to 22 as shown in Fig. 1) of the first component as shown in Fig. 1.

As per claims 3-7 and 18 a laser energy (as a welding energy as shown in Fig. 6C) is applied to the edge weld either a side of the first component or a side opposite to

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the side of the first component and portions of the first and second component are flown or melted for welding as shown in Figs. 2, 3 and 5.

10. Claims 1-5, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Albrecht et al. (US PAT. 5,821,494).

Albrecht et al. teach a process of welding at least two components together comprising steps of: positioning a first component (42) having an edge and a major surface with respect to a second component (44) having a surface with a perimeter, such that the surface of the second component contacts the major surface of the first component, and the perimeter of the surface of the second component extends beyond the edge of the first component as shown in Fig. 12A; and forming an edge weld at the edge, such that the edge weld extends beyond the edge onto the first and second components as shown in Fig. 12A (also see col. 10, lines 35-53).

As per claim 2 the edge weld is located at the center of the first component as shown in Fig. 21A.

As per claims 3-5 and 18 a laser beam (as a welding energy) is applied to the edge weld either a side of the first component or a side opposite to the side of the first component and portions of the first and second component are flown or melted for welding as shown in Fig. 5.

As per claim 17 a third component (122) is affixed simultaneously to at least one of the first and second components as shown in Fig. 12B.

11. Claims 1, 2, 8 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Shiraishi et al. (US PAT. 5,754,368).

Shiraishi et al. teach a process of welding at least two components together comprising steps of: positioning a first component (20) having an edge and a major surface with respect to a second component (21) having a surface with a perimeter, such that the surface of the second component contacts the major surface of the first component, and the perimeter of the surface of the second component extends beyond the edge of the first component as shown in Fig. 12A; and forming an edge weld at the edge, such that the edge weld extends beyond the edge onto the first and second components as shown in Fig. 2 (also see col. 7, lines 9-62).

As per claim 2 the edge weld is located at the center of the first component as shown in Fig. 21A.

As per claim 8 at least one of the first and second components is a flexure (20) and the other is a load beam (21) as shown in Fig. 2.

As per claim 15 at least one of the first and second components is an integrated lead suspension component (20) as shown in Fig. 2.

#### ***Allowable Subject Matter***

12. Claims 19-21 and 23-25 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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**Conclusion**

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D Kim whose telephone number is 703-308-8356. The examiner can normally be reached on Tuesday-Friday between 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Paul D Kim  
Examiner  
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